

# Pesticide/Asbestos Programs and Enforcement Branch

## Enforcement Case Screening and Recommendation

### Worksheet<sup>1</sup>

(Enforcement Confidential - Do Not Release Under FIOA)

**INSTRUCTIONS** In response to a detected violation or set of detected violations, EPA enforcement staff may find completion of this checklist useful in prioritizing cases for formal enforcement action. Even if a violator has received or requested compliance assistance, the violations may still merit the initiation of a formal enforcement action.

<b>Facility Name:</b> Lehigh University <b>Address:</b> Whitaker Lab <b>City, State, Zip Code:</b> 5 E. Packer Ave Bethlehem, PA <b>Contractor:</b> ACM Associates, Inc. <b>Address:</b> 1401 S. 4th St. <b>City, State, Zip Code:</b> Allentown, PA 18103	<b>File Number:</b>  <b>Inspection Date:</b> 10/21/08 <b>Violation Date:</b> NA <b>Projected Quarter:</b>	<b>Inspector:</b> Rich Pank <b>Case Reviewer:</b> Rich Pank <b>ORC Contact:</b>	<b>Statute:</b> FIFRA <del>CAA NESHAPS</del> TSCA AHERA TSCA ASHARA TSCA MAP
--	---	---	---

Were any violations observed during inspection/ case review? Yes (continue) No (close out)

### Inspection Summary:

Summarize key issues and violations found in the inspection report(s). Include the names addresses and telephone numbers of EPA and State inspectors that participated in the inspection. In FIFRA cases where there were no state or federal inspections describe in detail how evidence was gathered and how violations were determined. (Attach copies of all relevant inspection reports.) Self-Disclosure? Yes No

NO one on site

### Detailed Description of Violations:

List each alleged violation citing the applicable statute and/or regulation. Describe how each violation was determined. List in detail the information in our possession that supports the fact that a violation(s) has occurred. Discuss in detail how the statute and/or regulations in question are applicable to the alleged violator. For example: does the violator/facility meet the definition of facility, does the case meet any threshold requirements for there to be a violation, etc.) Discuss how the alleged violation(s) are not subject to applicable exclusions found in the regulations or applicable policy. Describe whether there has been an actual exposure to, or is there a substantial likelihood of exposure to pesticides/ asbestos that resulted from or may result from action taken or not taken by the alleged violator. Are the violation(s) continuing? Identify the source(s) of this information. (Attach copies of supporting documentation.)

Pesticide/Asbestos Programs and Enforcement Branch  
Enforcement Case Screening and Recommendation  
Worksheet<sup>1</sup>  
(Enforcement Confidential - Do Not Release Under FIOA)

**Compliance History.**

*Provide a description of the compliance history of the violator or facility, including repeat violations. Describe instances of non-compliance with FIFRA, CAA or TSCA activities. Also describe instances of non-FIFRA, CAA or TSCA non-compliance if there is a relevant link between the FIFRA, CAA or TSCA, and non-non-FIFRA, CAA or TSCA non-compliance.*

**Ownership Information:**

*Provide information that supports that the party being cited for violations is the proper entity to receive the proposed enforcement action. This may include information on the facility ownership, The correct names of the contractors involved or other relevant information. (D&B reports and deed and title search information may be provide this information.)*

**Financial Status of Facility Owner /Operator.**

*Provide a brief description of the violator's financial status as currently available. This can be obtained through responses to information requests , Dun & Bradstreet reports, etc. (Attach copies of supporting information)*

**Other Considerations**

*Provide a brief description Are there any apparent knowing, willful or negligent conduct by the company or any individual employed by the company? Yes No*

*Are there known or suspected violation(s) of other regulatory requirements? Yes No*

*Does this case have multi-media potential? Yes No*